

IN THE UNITED STATES OF AMERICA
INTHE FEDERAL DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MIRLA RODRIGUEZ MARIN, et al.

Plaintiffs

v.

VICTOR RIVERA GONZALEZ et al.

Defendants

CASE NO. 02-2053 (JAF)

**CIVIL ACTION
VIOLATION OF
CONSTITUTIONAL
RIGHTS**

(42 U.S.C. 1983)

ORDER OF ATTACHMENT

Upon plaintiff's Motion, and it appearing from the records of this Court and from plaintiff's motion that the defendant failed to pay to the plaintiffs a remaining balance of \$174,000.00 of the sums of money adjudged to be paid under the judgment, attorneys fees and interests; and it appearing further that more than ten days have elapsed from the entry of the affirmed judgment plus interests reaffirmed by he Court and failed to comply with the Secretary of Justice of Puerto Rico's promise as Defendant's obligator or guarantor to pay the Judgment, costs, attorneys fees and applicable interests when the First Circuit affirmed the District Court Judgment;

IT IS HEREBY ORDERED that cash, checks, monies in banks or private or public institutions, accounts receivable, promissory notes, stock, bonds, equipment, securities, and any other property of the defendant's obligator/guarantor Secretary of the Justice Department of Puerto Rico/Department of Justice of Puerto Rico, and/or to Co-Defendants Mr. Víctor Rivera-González and/or Ms. Ana T. Dávila Lao, individually or jointly, that may be subject to attachment, up to a value of \$174,000.00, for the outstanding

balance owed by the defendants including attorneys fees requested and approved, interest and costs, be attached, garnished, or seized to satisfy the amount owed pursuant to the Judgment entered by this Court in this action and the costs, attorney's fees and attachment fees (reasonable attachment fees estimated by Plaintiffs in \$500.00) incurred in the execution of the Writ of Attachment; it is further;

ORDERED that the properties to be attached in compliance with this Order consist of those designated by the plaintiff in the manner provided for by the laws of Puerto Rico; it is further; **ORDERED** that the Clerk of this Court issue a Writ of Attachment, without bond, since the relief requested is subsequent to the entry of the above mentioned Judgment, directed to Angel Ciro Betancourt, a private part designated to execute the Writ of Attachment in lieu of the U.S. Marshal, directing him to attach, garnish or seize any or all merchandise, funds or other property of, or in the possession of defendant's obligator or guarantor Secretary of the Justice Department of Puerto Rico/Department of Justice of Puerto Rico, and/or to Co-Defendants Mr. Víctor Rivera-González and/or Ms. Ana T. Dávila Lao, individually or jointly, that may be subject to attachment, up to a value of \$174,000.00 (plus \$500.00 in attachment fees), for the outstanding balance owed by the defendant including attorneys fees, attachment fees, requested, interests and costs, in addition to the costs incurred in the attachment, a may be designated by plaintiff, including property in the possessions of other persons. All such properties shall be seized and deposited in the office of the Clerk of the Court should they be monies or if they consist of other personal property by placing the same under the custody of the custodian named in this Order; and in the event of garnishment, by giving notice of this Order to Mr. Francisco Ojeda-Diez, Federal Litigation Division Interim Director, Department of Justice of Puerto Rico, San Juan, Puerto Rico, 00902-0190, and requiring the surrender of the property or payment of the money to Angel Ciro Betancourt, the private party designated in lieu of the U.S. Marshal, to be deposited in this case at the Clerk's Office for Plaintiffs Mirla

Mireya Rodríguez-Marín and Annie I. Escobar-Pabón, and its attorney Francisco R. González, as it is already due and payable. Angel Ciro Betancourt, the private party designated in lieu of the U.S. Marshal, is hereby authorized to break and open locks as may be necessary to execute the attachment; it is further;

ORDERED that Angel Ciro Betancourt, the private party designated in lieu of the U.S. Marshal, shall thereafter file a return of execution describing the property attached, garnished or seized pursuant to this Order; it is further;

ORDERED that the custodian hereby appointed on request of plaintiff shall also be: Angel Ciro Betancourt, 1519 Ponce de Leon Avenue, First Federal Suite 801, San Juan, Puerto Rico 00909, Tel 787-462-3279.

SO ORDERED.

In San Juan, Puerto Rico, this 18th day of September 2006.


U.S. DISTRICT JUDGE

NOW THEREFORE, you are by issued pursuant to the above Order, by attaching forthwith all such properties of the defendant's obligator or guarantor Secretary of the Justice Department of Puerto Rico/Department of Justice of Puerto Rico, and/or to Co-Defendants Mr. Víctor Rivera-González and/or Ms. Ana T. Dávila Lao, individually or jointly, that may be subject to attachment, in its possession or in the possession of third parties, as shall be designated by plaintiff, seizing personal property so designated and delivering such personal property to the designated custodian, Angel Ciro Betancourt, or by depositing such personal property in the office of the Clerk of the Court should they be monies or if they consist of other personal property by placing the same under the custody of the custodian named in this Order, and in the

event of garnishment, by and requiring the surrender of the property or payment of the money giving notice of this Order to Mr. Francisco Ojeda-Diez, Federal Litigation Division Interim Director, Department of Justice of Puerto Rico, San Juan, Puerto Rico, 00902-0190, and requiring the surrender of the property or payment of the money to Angel Ciro Betancourt, the private party designated in lieu of the U.S. Marshal, at the time the obligation to Mirla Mireya Rodríguez-Marín and Annie I. Escobar-Pabón becomes due and payable. Angel Ciro Betancourt, the private party designated in lieu of the U.S. Marshal, is hereby authorized to break and open locks as may be necessary to execute the attachment.

In San Juan, Puerto Rico, this day of September 2006.

US District Court Clerk
Deputy Clerk